

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

WISCONSIN SHEET METAL WORKERS
HEALTH AND BENEFIT FUND, and
WILLIAM HOEPNER,

Plaintiffs,

Case No. 05-C-488

v.

WILLIAM J. TOMASZEWSKI
F/D/B/A ABSOLUTELY HEATING,

Defendant.

OPINION AND ORDER

Plaintiffs Wisconsin Sheet Metal Workers Health and Benefit Fund and William Hoepner moved the court for an order granting default judgment because the Defendant, William J. Tomaszewski f/d/b/a Absolutely Heating, had failed to answer the Complaint or otherwise respond. A hearing on the motion was held on October 26, 2005. The Defendant failed to appear. Therefore, the court ORDERS that the Plaintiffs' "Application for Entry of Judgment Pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure" (filed September 27, 2005) IS GRANTED. See Federal Rule of Civil Procedure 55.

IT IS FURTHER ORDERED that the Clerk of court shall enter a final judgment as a separate document. See Federal Rule of Civil Procedure 58. This judgment shall provide that:

This action came on for hearing before the court, the
Honorable Thomas J. Curran, District Judge, presiding, and

the issues having been heard and a decision having been rendered,

IT IS ORDERED AND ADJUDGED

that Plaintiffs Wisconsin Sheet Metal Workers Health and Benefit Fund and William Hoepner shall recover of the Defendant William J. Tomaszewski f/d/b/a Absolutely Heating the sum of Eleven Thousand Five Hundred Ninety-One Dollars and Fifty-Three Cents (\$11,591.53), plus interest from the date of judgment at the rate provided by law.

IT IS FURTHER ORDERED AND ADJUDGED

that this action is dismissed with prejudice.

Done and Ordered in Chambers at the United States Courthouse,
Milwaukee, Wisconsin, this 26th day of October, 2005.

s/ Thomas J. Curran
Thomas J. Curran
United States District Judge